United Nations S/2010/388

Security Council

Distr.: General
19 July 2010

Original: English

Report of the Secretary-General on the Sudan

I. Introduction

1. The present report is submitted pursuant to paragraph 11 of Security Council resolution 1590 (2005), in which the Council requested that it be kept regularly informed of progress in the implementation of the Comprehensive Peace Agreement in the Sudan. The report provides an assessment of the situation in the country since my previous report, dated 5 April (S/2010/168), and its addendum, dated 27 April (S/2010/168/Add.1), as well as an update on the activities of the United Nations Mission in the Sudan (UNMIS) up to 30 June 2010. In accordance with the Council's request, the report includes updates on support for the referendum and popular consultation processes, United Nations engagement with the parties on critical post-referendum tasks and planning for a United Nations presence in the Sudan after the end of the interim period.

II. Political developments

Elections

2. Following national and state-level elections in April, the formation of governments, legislatures and related political institutions was the primary political activity in the Sudan during the reporting period. At the national level, Omer Al-Bashir was elected President of the Republic, with 68 per cent of the vote. Despite his withdrawal, Yassir Arman, the presidential candidate of the Sudan People's Liberation Movement (SPLM), won 21.6 per cent of the ballot. On 29 May, Salva Kiir Mayardit and Ali Osman Mohamed Taha were sworn in as First Vice-President and Vice-President respectively. In the new national Government sworn in on 16 June, the National Congress Party (NCP) was allocated 24 ministerial positions, including that of Minister for Foreign Affairs. SPLM was allocated eight positions, including the newly established post of Oil Minister, while three positions went to Northern opposition parties.

3. In Southern Sudan, Salva Kiir Mayardit was elected President of the Government of Southern Sudan, with 92.99 per cent of the vote. On 14 June, Riek Machar was sworn in as Vice-President of the Government of Southern Sudan. On 21 June, President Kiir issued a decree appointing his new Government, in which SPLM holds 27, NCP 2, and other Southern political parties 3 ministerial posts.

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4. NCP secured a 72 per cent majority in the National Assembly by winning 319 seats. The SPLM share of the vote was 22 per cent, with 99 seats. Further representation in the National Assembly includes the Popular Congress Party, the Democratic Unionist Party, the Federal Umma Party, the National Umma Party, the Umma Reform and Development Party, SPLM-Democratic Change (SPLM-DC), the Democratic Unionist Party-Original and the Muslim Brotherhood. Three seats were won by independent candidates. In the Southern Sudan Legislative Assembly, SPLM won 159 seats, which amounts to 93.52 per cent of the total, while SPLM-DC won three seats. Seven seats went to independent candidates.

5. On 29 May, the Presidency formally requested the National Assembly to make appropriate legislative amendments in connection with the allocation of additional National Assembly seats in conformity with the 21 February agreement between the parties. The allocation of 40 seats for Southern Sudan, 4 for Southern Kordofan State, and 2 for Abyei is pending further agreement on the modalities for the allocation.

6. At the gubernatorial level, NCP candidates won the elections in all but one of the Northern states; only the incumbent SPLM Governor, Malik Agar, retained his seat, in Blue Nile State. Similarly, SPLM candidates won the gubernatorial elections in 9 of the 10 Southern states. The Western Equatoria governorship went to Bangasi Joseph Bakosoro, an independent candidate, formerly of SPLM.

7. During the reporting period, the Supreme Court received 188 election-related cases and rejected 177, including one challenge to the presidential results. Of the remaining 11, the Court reversed the results in 2 State Legislative Assembly election cases and voided the results in 4. It referred 5 cases to the National Elections Commission on procedural grounds; NEC rejected all 5.

8. A number of Sudanese political actors have criticized or rejected the elections as unfair, rigged or otherwise illegitimate. Many Northern opposition leaders denounced the process as "fraudulent", "corrupt" and "a farce". On 27 April, nine small Southern political parties, including SPLM-DC, issued a statement rejecting the results in the South. On 5 May, a coalition of Sudanese civil society organizations issued a press statement, claiming that widespread violations had "prevented the voters of Sudan from freely expressing their will and selecting their representatives". Independent Jonglei gubernatorial candidate General George Athor Deng, who lost, began an armed conflict after the results were announced, demanding the cancellation of the election results and the dissolution of the Government of Southern Sudan.

9. Elections were not held in April for 18 national and 26 State Assembly constituencies in 10 Northern and 4 Southern states for various reasons, including ballot-printing errors, candidate deaths and legal challenges. The National Elections Commission conducted elections for 31 of those constituencies in June, postponing polling for the remaining constituencies until after the rainy season. As in the April elections, UNMIS, in cooperation with the United Nations Development Programme (UNDP), provided extensive logistical support to the Commission and the State High Committees in the procurement, distribution and retrieval of polling materials, the repacking of sensitive materials, air transport to and from inaccessible locations and the storage of election materials. The African Union-United Nations Hybrid Operation in Darfur (UNAMID) provided important logistical support for UNMIS electoral operations.

10. The National Elections Commission is seeking UNMIS, UNDP and other donor support for the postponed elections in Gezira and Southern Kordofan States. The new census exercise in Southern Kordofan started on 15 June. Following a request from the Central Bureau of Statistics, UNMIS transported census staff and materials from Khartoum to Kadugli. UNMIS is also anticipating a request for transport support at the end of the exercise.

11. On 4 and 5 May, UNMIS, UNDP and the International Foundation for Electoral Systems held a lessons-learned workshop to assess all aspects of international assistance for the electoral process. In addition, UNMIS conducted an internal lessons-learned exercise with a view to strengthening and improving its support for the forthcoming referendum processes. One of the key findings of those exercises was the need for an integrated United Nations approach, inclusive of the Mission, UNDP and other relevant United Nations country team members. Suggestions for the ongoing planning of referendum support included the creation of a joint support structure and enhanced coordination with national counterparts, including the Southern Sudan and Abyei Referendum Commissions, at all stages of the process.

12. On 7 May, the African Union Commission convened a high-level strategic review meeting between the African Union and the United Nations in Addis Ababa. Attended by representatives of the United Nations and the African Union, including the African Union High-level Implementation Panel, the meeting emphasized the importance of a strategic partnership between the two organizations at the critical time of the implementation of the Comprehensive Peace Agreement. On the following day, a consultative meeting on the Sudan was held in Addis Ababa to bring together representatives of the African Union, the United Nations, the Intergovernmental Authority on Development (IGAD), the League of Arab States (LAS), the Organization of the Islamic Conference (OIC), the European Union, countries in the region, the permanent members of the Security Council and the Assessment and Evaluation Commission, as well as of Finland, Italy, Japan, Norway, Qatar and Sweden. At the consultative meeting, it was decided to establish a consultative forum, to be co-chaired by the African Union and the United Nations, which would serve as a mechanism to harmonize international efforts in support of the implementation of the Comprehensive Peace Agreement, post-referendum arrangements and the search for a political solution to the Darfur conflict. The forum will meet every two months, with the first meeting having been held in Khartoum on 17 July.

Preparations for referendums

13. Although the formation of governments was the focus for much of the reporting period, the parties have now begun discussions on the referendum processes. Following the inauguration of President Al-Bashir, the parties announced that they were committed to holding the referendum by 9 January 2011, the deadline mandated by the Comprehensive Peace Agreement, and that they had reached agreement that the national Government would work to "persuade the Southerners for voluntary unity".

14. On 7 June, the Presidency submitted to the National Assembly a list of proposed Southern Sudan Referendum Commission members, which was referred back to the Presidency on 14 June, owing to objections to one NCP nominee. After

the replacement of that nominee, the National Assembly endorsed the appointment of the Referendum Commission members on 28 June. The parties have yet to agree on the chairpersonship for the Abyei Referendum Commission, owing primarily to controversy in connection with the eligibility of voters in the Abyei referendum.

15. The prospect of a joint unity campaign is proving contentious. NCP insists that the Comprehensive Peace Agreement stipulates a pro-unity stance on the part of both parties and is reportedly considering relocating Vice-President Taha to Juba to supervise the campaign. Many in the South have expressed their reservations on this matter, arguing that it is too late to make unity attractive.

Integrated United Nations planning

16. Timely, flexible and integrated planning will be essential to permit the United Nations presence in the Sudan to meet the challenges of the next phases of the peace process: (a) preparation and conduct of the referendums (July 2010-January 2011); (b) support in the post-referendum transitional period (January-June 2011); and (c) support for peace consolidation in the post-Comprehensive Peace Agreement period (2011-2012). In anticipation of those needs, and in line with the Secretary-General's guidelines on integrated planning, in the reporting period UNMIS strengthened its Strategic Planning Cell and, jointly with the United Nations country team, established an integrated mission planning team in Khartoum.

17. In consultation with the Mission and the United Nations country team, my Special Representative has established five strategic objectives for the United Nations in the pre-referendum phase: (a) the organization of credible referendums in Southern Sudan and Abyei; (b) the organization of productive popular consultations in Southern Kordofan and Blue Nile States; (c) the negotiation of post-referendum transitional arrangements and their peaceful implementation; (d) the maintenance of a secure environment and the protection of civilians in the mission area; and (e) the development of governance and rule-of-law capacities in Southern Sudan. UNMIS and the United Nations country team have also drawn up an integrated action plan to coordinate the activities of the United Nations family in respect of those goals.

18. The national Government and the Government of Southern Sudan have both indicated a desire for expanded United Nations involvement in the conduct of the referendums, beyond the role played during the elections. A joint request detailing an expanded United Nations role in supporting the referendums, including monitoring, is expected shortly. UNMIS stands ready to provide increased technical and logistical assistance within its mandate and capacity. The Mission has developed a concept of operations and a staffing scenario for enhanced technical support for the referendum commissions, extending the deployment of electoral staff to the county level — 79 in Southern Sudan — and to Abyei. UNMIS is currently assessing available infrastructure in the South and has completed a resource and logistics requirements assessment for deployment in the North, the South and Abyei. UNMIS has also developed proposals to facilitate rapid decision-making by the commissions.

19. Resource requirements for support for the referendums were not included in the 2010/11 budget, as the level of assistance to be provided by the United Nations had yet to be defined. Pending requests from the referendum commissions, UNMIS will identify the costs required to support the referendums, while reviewing its capacity and prioritizing its existing resources to the extent possible without

undermining other mandated activities. Any unresolved resource requirements will be addressed through the authority vested in the Secretary-General and established processes for securing additional funding. In the interim, UNMIS has been requested to allocate resources for referendum support temporarily from the 2010/11 budget appropriation.

20. Planning for the role of the United Nations in the post-referendum phases will be developed over the coming months. It will be important to ensure the timely preparation of plans and options for the post-Comprehensive Peace Agreement period, while taking account of the negotiations between the parties and the evolving situation on the ground and preparing for a range of scenarios. To that end, the United Nations will undertake an integrated planning process in close coordination with the parties themselves and in consultation with key partners, including the African Union High-level Panel. I will provide updates on the status of post-referendum planning by the United Nations in subsequent reports to the Council. Options for changes in the mandate and configuration of the presence of the United Nations, which will be developed in the light of an updated strategic assessment, will be presented to the Council for its consideration shortly after the referendums. Meanwhile, within its existing mandate and capacity, UNMIS will adopt a flexible approach, adjusting short-term priorities to meet new needs and address requests for assistance that may be made by the parties in the transition period.

Popular consultations in Southern Kordofan and Blue Nile States

21. Since my previous report, there has been no substantive progress on the issue of popular consultations in Southern Kordofan State. The Comprehensive Peace Agreement stipulates the involvement of democratically elected representatives in the popular consultation process. The postponement of State legislative elections has thus limited options for moving the process forward. UNMIS has been pursuing options to encourage such preparations, including a joint project with the Peace Research Institute of the University of Khartoum on the popular consultations in both Southern Kordofan and Blue Nile States. The objective is to assist in identifying topics of concern to the local population which might appropriately be addressed through the popular consultation mechanisms, the popular consultations themselves or related processes.

22. With an elected legislature in place, the popular consultation process is set to commence in Blue Nile State. From 23 to 25 May, the United States Agency for International Development and implementing partner AECOM organized a civic education workshop for approximately 1,000 participants, which led to a joint declaration of principles and a code of conduct in preparation for the popular consultation process.

Negotiations on post-referendum arrangements

23. On 24 June, the parties to the Comprehensive Peace Agreement signed a procedural framework agreement in Addis Ababa governing formal talks on post-referendum arrangements. The negotiations are to be bilateral, with an African Union facilitator supported by the United Nations, IGAD and the IGAD Partners Forum to assist when needed. The parties expect to receive ad hoc international expert input on key issues as they arise, including financial matters, natural

resources, security and citizenship. The parties also agreed upon a joint Sudanese secretariat with administrative support from the Assessment and Evaluation Commission.

Abyei

24. The elections in Abyei were largely peaceful. Voters from the Abyei Area voted in either Warrap State or Southern Kordofan State. Although the decision not to conduct the Abyei gubernatorial and legislative council elections was controversial, it prevented the eruption of further tensions and conflict emanating from the controversy over the constituency of the area.

25. The seasonal migration has brought attendant challenges. Political tensions and disputes over the possession of weapons largely prevented the nomads from crossing the border from Abyei into Unity or Warrap States. Many nomads were also prevented from using the Kiir/Bahr al-Arab River as a water source for their cattle for the same reasons. The Misseriya tribes have now begun their return journey towards the North. The number of cattle lost owing to lack of water and pasture has yet to be ascertained. Although the tribes and local military units have avoided any large-scale violence, the situation remains extremely tense and fragile. UNMIS and the Abyei Area Administration have established local migration committees to help resolve migration-related tensions.

26. Some Misseriya continue to oppose the implementation of the Permanent Court of Arbitration decision regarding the borders of Abyei, and persistently block any progress on border demarcation. In the northern portions of the Abyei Area, Misseriya youths have accused the United Nations of bias in the delivery of humanitarian services and have, including through threats of violence, blocked the access of joint monitoring teams to some locations. Southern militias and, at times, Sudan People's Liberation Army (SPLA) units, have threatened the United Nations country team, hindering it in its efforts to dig wells in the area, out of fear that the Misseriya would establish permanent settlements around such water sources and thus claim residence.

Wealth-sharing

27. According to the Petroleum Unit of the Government of Southern Sudan Ministry of Finance and Economic Planning, the national Government transferred approximately $669.92 million to the Government of Southern Sudan in the first quarter of 2010, pending an agreement on the sharing of Higlig oilfield revenues.

28. The national Government continues to transfer revenue shares to oil-producing states. According to the Ministry of Finance and National Economy, Upper Nile State received $18.560 million in oil revenues in the first quarter of 2010, Unity State $12.571 million, and Southern Kordofan State $7.122 million. Pursuant to the Abyei Protocol, Warrap State and the local Ngok Dinka tribe received $179,000 each; the transfer of Misseriya shares awaits a decision by the Presidency.

29. The National Civil Service Commission has made limited progress in recruiting Southern Sudanese to the civil service, with only 1,039 recruitments, against the approximately 8,500 positions reserved for them. The Commission is still awaiting presidential directives on Darfurian and Eastern Sudanese representation.

Border demarcation

30. The Presidency has decided to begin demarcating agreed-upon areas, pending submission of a final written report. Following a request of the Technical Ad Hoc Border Committee, on 29 and 30 April UNMIS facilitated aerial reconnaissance of a 388 km section of the 1 January 1956 border, from Ethiopia to the meeting point between Upper Nile, Blue Nile and Sennar States. The Committee visited several points along the line by land to correct and verify geographical coordinates.

III. Implementation of other peace agreements

Eastern Sudan Peace Agreement

31. The political and security situation in Eastern Sudan remains calm following the elections. The three Eastern Sudan political parties representing the Eastern Sudan Peace Agreement signatories (Beja Congress, the Free Lions Party and the East Democratic Party), secured only three seats at the State Assembly level — two in Red Sea State (Beja Congress and the East Democratic Party) and one in Kassala State (Free Lions Party). The East also secured representation in the national Cabinet. Significant progress has been made in the implementation of the Eastern Sudan Peace Agreement wealth-sharing provisions. The long-awaited donor conference for Eastern Sudan is now scheduled to be held in Kuwait in November 2010.

Darfur peace process

32. Following the April 2010 elections, talks resumed on 6 June between the Liberation and Justice Movement (LJM) and the Government of the Sudan. Representatives of civil society, internally displaced persons and refugees have been participating in the talks. The two parties have agreed on a work programme and have formed six committees to negotiate on the following areas: power-sharing and the administrative status of Darfur; wealth-sharing, including land rights; compensation for and the return of internally displaced persons and refugees; security arrangements; justice and reconciliation; and an agreement on the resolution of disputes.

33. The Justice and Equality Movement (JEM) and the Government failed to agree on a ceasefire implementation protocol or a final agreement by the stipulated deadline of 15 March, owing largely to disputes over the participation of other movements in the peace talks and the insistence by JEM that all of its prisoners held in Khartoum be released by the Government of the Sudan. In May, JEM announced that it had frozen its participation in the negotiations in Doha; shortly thereafter, it withdrew its delegation from the talks. On 19 May, the Chairman of JEM, Khalil Ibrahim, was detained at the airport in N'Djamena and refused entry by the Chadian authorities. Following the incident, he travelled to Tripoli, where he remains.

34. On 12 July, Pre-Trial Chamber I of the International Criminal Court issued a second warrant of arrest against President Al-Bashir, considering that there were reasonable grounds to believe him responsible for three counts of genocide committed against the Fur, Masalit and Zaghawa ethnic groups in Darfur. I recognize the authority of the International Criminal Court as an independent judicial institution and trust that the Government of the Sudan will address the

issues of peace and justice in a manner consistent with Security Council resolution 1593 (2005).

IV. Security developments

35. After the elections, the security situation remained calm in the North, with the exception of the Darfur States. However, in the South, post-election disputes increased tensions. Fighting in northern Jonglei State and southern Upper Nile State between General Athor's supporters and SPLA, including an attack on an SPLA armoury south of Malakal (Doleib Hill) which left 14 SPLA soldiers dead, resulted in a significant deterioration of the security and human rights situations in the area, including killings, arbitrary arrests and detentions, rape, looting and destruction of property, as well as restrictions on critical United Nations staff movement. UNMIS, in collaboration with local elders, is assisting the Government of Southern Sudan to end the rebellion of General Athor peacefully.

36. Other instances of political violence included the mobilization of forces by David Yau-Yau, who had run as an independent candidate in Jonglei State after being refused the SPLM nomination. After losing the election, Yau-Yau's forces attacked SPLM troops in Jonglei State. In May, unidentified assailants ambushed a vehicle carrying the Shilluk Chief, Peter Oyath, in Upper Nile State, killing him and six others. SPLM accused SPLM-DC members of the Upper Nile State Legislative Assembly and the Southern Sudan Legislative Assembly of involvement in the incident, and a criminal case was filed in Malakal against several SPLM-DC legislators. SPLM-DC maintains that it has been wrongly accused, claiming that the criminal case is a response to SPLM-DC electoral gains in Upper Nile State. The forced disarmament of civilians by the Government of Southern Sudan in communities perceived to be supporting SPLM opposition parties remains a concern, in particular in the context of the upcoming referendums.

37. On 3 April, an exchange of fire between SPLA and Joint Integrated Units of the Sudanese Armed Forces (SAF) in Raja, Western Bahr El Ghazal State, left four persons wounded and one dead. The Joint Integrated Unit commanders, with UNMIS support, acted quickly to contain the incident.

38. Tensions in and around Abyei and disputes in connection with Misseriya nomads carrying weapons during the migration sparked at least three incidents between SPLA units and nomads in Unity State that, reportedly, left 7 dead and 13 injured. The migration season otherwise passed without serious security incidents, despite heightened tensions.

39. The reporting period was marked by steadily increasing localized tensions and outbreaks of violence in several areas in Southern Sudan. During the reporting period, UNMIS received reports of 66 incidents of intercommunal violence in Southern Sudan, in particular in Warrap, Jonglei, Upper Nile, Western Bahr El Ghazal and Western Equatoria States.

40. Warrap, Lakes and Unity States have seen a marked increase in cattle-rustling incidents. At least 41 people were killed during the reporting period, including 6 SPLA soldiers protecting civilians in Warrap State. The Minister for Internal Affairs authorized county commissioners to cross the border between Lakes State and Unity

State, accompanied by SPLA, in order to identify and return stolen cattle. A similar exercise is envisaged for Warrap and Unity States.

41. As part of a conflict-mitigation strategy, UNMIS, UNDP, the International Organization for Migration and the International Republican Institute, a non-profit organization, continued to organize round-table discussions among political parties in all 10 Southern states. Smaller Southern political parties and independent candidates have also used such discussions to engage with SPLM in a neutral forum.

42. Early in May, UNMIS received reports of serious fighting between Rizeigat tribesmen and SPLA forces in Balbala, on the border of Western Bahr El Ghazal and Southern Darfur States. The exact reasons for the fighting remain unclear. Efforts by UNMIS to investigate the incident in its immediate aftermath were unsuccessful owing to restrictions on freedom of movement by SPLA. Efforts by UNAMID to reach the area from Southern Darfur were also unsuccessful owing to restrictions imposed by SAF. The matter was reportedly resolved on 17 May, with a ceasefire agreement signed by a Rizeigat delegation, headed by the acting Commissioner from El Deain (Southern Darfur State), and the Governor of Western Bahr El Ghazal State.

43. Also in May, the JEM launched an attack from Southern Darfur State into the areas west of Muglad in Southern Kordofan. On 8 May, an oil company guesthouse was attacked in Gibash. SAF helicopters were observed patrolling the area and, consequently, staff movement was restricted.

44. On 6 April, a small group of soldiers, allegedly belonging to the Lord's Resistance Army (LRA), attacked a village close to Ezo in Western Equatoria State, killing one civilian and wounding another. On 16 May, LRA reportedly ambushed a Government vehicle travelling from Yambio to Tambura, killing three Government of Southern Sudan officials. On 23 May, SPLA killed one LRA soldier in Nzara county, Western Equatoria State, and on 26 May, LRA reportedly attacked four civilians between Tambura and Namutina in Western Equatoria State, killing one and abducting three others.

Redeployment of forces

45. SAF has redeployed all of its forces from Southern Sudan, while SPLA redeployment remains at 35 per cent (20,622) of its stated strength (59,168).

Joint Integrated Units

46. The strength of the Joint Integrated Units has remained unchanged since April 2009 at 83 per cent of its mandated strength (39,639). The reverification process, which had been scheduled for completion by 15 November 2009, is still ongoing. UNMIS is currently facilitating donor-funded projects to improve water supply, sanitation, kitchen facilities and basic medical equipment at Joint Integrated Unit camps.

UNMIS military deployment

47. As at 30 June 2010, UNMIS had deployed 9,935 of the authorized 10,000 military personnel, including 496 military observers, 192 staff officers and 9,247 troops. The Mission completed the deployment of additional troops in March 2010 in accordance with the 2008 military capability study, bringing the Mission's force

strength to 99.1 per cent of the recommendation contained in the study. The priority operations for the reporting period were election support, conflict deterrence, the protection of civilians, security monitoring and planning for referendum support. UNMIS military election support focused on situational awareness and area security, logistical support and force protection for UNMIS staff. UNMIS has revised and updated its elections-oriented integrated contingency plan on the protection of civilians for use during the referendums.

Restrictions on freedom of movement

48. Both parties to the Comprehensive Peace Agreement have placed further constraints on the freedom of movement of UNMIS since the previous reporting period. As at 27 May, UNMIS had recorded 36 cases of restrictions on freedom of movement in 2010 by SPLA/the Southern Sudan Police Service and 5 by SAF. They included the impounding of 14 Bangladesh armoured personnel carriers by SAF and SPLA for a period of three months as well as denial of access and interference by a Sudanese member of the joint monitoring team with respect to patrols in the Balbala area during the SPLA-Rizeigat clashes in the border areas of Western Bahr El Ghazal and Southern Darfur. SPLA units also broke into UNMIS containers, detained patrols and, on one occasion, physically assaulted a United Nations military observer.

49. UNMIS continues to raise these issues through the appropriate governmental channels and Comprehensive Peace Agreement mechanisms. However, the restrictions have created considerable delays in the ability of UNMIS to decisively monitor and verify the Ceasefire Agreement and to assess situations with regard to the protection of civilians and humanitarian needs. Restrictions on the freedom of movement of UNMIS-contracted logistics convoys are also increasing the Mission's dependency on the use of force protection for logistics convoys and the already scarce aviation resources, which are increasingly required to ensure the timely sustenance of team sites.

UNMIS police

50. UNMIS has deployed 679 of the 715 authorized police advisers, including 105 women police officers, in 25 team sites throughout the Mission area. Operations during the reporting period focused on the training of 27,457 local Sudanese police personnel in elections security.

51. The Mission deployed a United Nations police officer in each of the 10 state-level Southern Sudan Police Service joint operation centres; two officers are embedded in the central joint operation centres. United Nations police began implementing a referendum training plan immediately after the elections. In close coordination with the Training Directorate of the Southern Sudan Police Service and with support from donors, the United Nations police propose to train 16,550 Southern Sudan Police Service officers and 1,090 Abyei Area police personnel in referendum security duties.

52. The United Nations police conducted 3,011 patrols in the Mission area during the reporting period, including joint confidence-building and long-range patrols with local police, United Nations military observers and other Mission components. Six Special Protection Units are currently operating in Southern Sudan, and 10 more are expected to be deployed in the near future. The United Nations police also provide

assistance in the training and equipping of a Livestock Patrol Unit to counter cattle-raiding in Jonglei State.

Disarmament, demobilization and reintegration

53. As at 31 May, 23,345 candidates (18,365 in the North and 4,980 in the South) have been demobilized, including 5,558 women. On 23 March, demobilization activities resumed in Rumbek (Lakes State), following a temporary freeze due to the lack of food support. UNMIS and UNDP are working in close coordination with both the Northern and Southern Sudan Disarmament, Demobilization and Reintegration Commissions to support the launch of the disarmament, demobilization and reintegration programmes in Kauda (Southern Kordofan State), Torit (Eastern Equatoria State) and Aweil (Northern Bahr El Ghazal State).

54. In close consultation with governmental authorities, UNMIS and UNDP are continuing to work together to reduce the gap between demobilization and reintegration. By mid-May, 18,340 disarmament, demobilization and reintegration programme participants had been counselled on economic reintegration. In Northern Sudan, reintegration activities have commenced with regard to 2,054 participants, while in Southern Sudan the reintegration exercise was completed for 62 participants in mid-May. The Governments have signed agreements with the Food and Agriculture Organization of the United Nations (FAO) and the German aid agency GTZ to provide reintegration support to 1,541 participants.

55. The Government of Southern Sudan suspended civilian disarmament during the polling period to avoid any perception that the exercise was targeting particular candidates or their supporters. The process has since resumed in the areas of Jonglei State dominated by the Murle tribe. SPLA indicated that civilian disarmament exercises will soon be extended to Eastern Equatoria State. However, the increased use of SPLA units for internal security and civilian disarmament has strained the relationship between SPLA and local communities. Accusations of SPLA politicization, poor discipline and participation in cattle raids threaten to exacerbate those tensions.

56. During the reporting period, SPLA demobilized a total of 202 children associated with armed forces and groups in Eastern Equatoria and Unity States. Despite the progress made in identifying and registering children for demobilization, their numbers remain significant.

Mine action

57. During the reporting period, the United Nations cleared 3,571,730m^2 of land and destroyed 2,248 anti-personnel mines, 309 anti-tank mines, 68,459 small arms and 22,021 items of unexploded ordnance. Other major accomplishments include the clearance of the Abu Gamul minefield in Kassala State, the minefield surrounding Malakal town in Upper Nile State, the Kurmuk minefield in Blue Nile State and areas in Southern Kordofan State. Through those activities, the United Nations supported the safe implementation of the Sudanese national elections and reconnaissance for border demarcation.

V. Protection of civilians

58. Working with the Government and United Nations agencies, UNMIS has scaled up its activities to deter violence and respond more effectively to protection needs. During the reporting period, early warning systems were established in Southern Sudan to collect and, where possible, verify information about communities under threat. Specifically, UNMIS undertook regular field missions and developed a reliable network of local communities and authorities. On the basis of information provided through the early warning system, UNMIS on several occasions dispatched joint civilian and military patrols to communities under threat with a view to conducting rapid situational assessments and identifying the steps that needed to be taken immediately by the Government of Southern Sudan, SPLA and the Southern Sudan Police Service and, where relevant, the United Nations, to improve community security and better protect communities, as was the case during the SPLA-Murle clash in Pibor and the clash between the SPLA and General Athor's forces in Khorfulus county, Jonglei State.

59. UNMIS also facilitated the creation of 35 protection of women groups in Southern Kordofan State. Efforts are currently under way to establish similar groups throughout Southern Sudan. Embedded and run by local communities, such groups serve as early-warning mechanisms at the local level.

60. The analysis of possible flashpoints carried out prior to the April elections continues to be regularly updated. On 5 April, UNMIS established a regional operations centre in Juba with a view to coordinating all security and operational information for Southern Sudan and ensuring integrated conflict analysis and subsequent recommendations to prevent, manage or resolve conflict throughout Southern Sudan.

61. An integrated security and conflict management concept is being finalized to enhance the response by the United Nations to possible incidents during the referendum period. UNMIS has developed a key leadership engagement plan to improve interaction with SAF and SPLA leadership and situational awareness and to ensure appropriate responses by UNMIS, SAF and SPLA. The integrated contingency plan developed for the electoral period has been revised so as to prepare a joint UNMIS/United Nations agency response to civilians seeking sanctuary in the event of violence during the referendum period.

VI. Humanitarian situation, recovery and return

Humanitarian developments

62. Localized insecurity continued to have serious humanitarian consequences in Southern Sudan during the reporting period, in particular in Jonglei, Lakes, Warrap, Unity, Western Equatoria and Eastern Equatoria States. More than 700 people are reported to have been killed and over 150,000 newly displaced since the beginning of the year. After a relative lull in the first quarter of 2010, attacks by LRA resumed during the reporting period. As of April, the humanitarian situation in Northern Jonglei State had become increasingly precarious owing to the ongoing military stand-off between SPLA and General Athor in Ayod county. The humanitarian community has prepared a contingency plan for a humanitarian response for up to 25,000 civilians in the area under threat.

63. The food gap in the South continued to put millions at risk. It was caused by a combination of widespread displacement, unexpectedly low crop production and the contraction of market access for tens of thousands of destitute households. The 2009/2010 Annual Needs and Livelihood Assessment, released on 13 April, anticipated that some 4.3 million people — nearly half the population of Southern Sudan — would be in need of food assistance at some point during 2010. All five nutrition surveys completed in hard-hit states have confirmed global acute malnutrition rates over the emergency threshold of 15 per cent.

64. In an effort to meet emergency needs and prevent a further deterioration in conditions, despite limited funding, humanitarian partners have been pre-positioning six core pipelines of urgent inputs in as many areas as possible before the rainy season restricts access. By May 2010, the World Food Programme had pre-positioned more than 50,000 tons of food aid throughout the South, a threefold increase over the amount pre-positioned in 2009. Similarly, it is estimated that only two of the six essential pipelines (food and non-food items) will be fully pre-positioned in Southern Sudan by the onset of the rains, owing to a lack of financing.

65. To date, only 42 per cent of the funds requested for Southern Sudan through the consolidated appeals process have been received. The areas of returns and early reintegration, protection, agriculture, health and water and sanitation are the least funded, having received only 20 to 30 per cent of the funds requested. A total of $22 million will be allocated from the Central Emergency Response Fund to cover some of the funding shortfalls. The lack of adequate and assured funding has an adverse impact on operations, and funding imbalances across sectors jeopardize the overall effectiveness of the humanitarian response. The risk of a humanitarian disaster later in 2010 is therefore significant. Further increases in capacity on the ground and in resources are therefore urgently needed.

Recovery and development

66. The United Nations country team has stepped up its advocacy for greater investment by the Government in the social and human development areas, addressing both the national Government and the Government of Southern Sudan. The UNDP Rapid Capacity Placement Initiative to boost United Nations support to states in Southern Sudan gained momentum during the reporting period. By mid-May 2010, more than 50 of the 150 international United Nations Volunteers, who are to implement the programme, had been recruited and commissioned to various states. These include specialists in information technology, financial management and urban development and rule-of-law officers.

67. As part of a major initiative to support democratic processes, UNDP will provide assistance to the Government of Southern Sudan, through the Ministries of Cabinet Affairs, Parliamentary Affairs and Labour, for the organization of an orientation programme for the 170 elected members of the Southern Sudan Legislative Assembly. The programme will provide sensitization training, information, education, guidance and background materials to Assembly members to assist them as they begin their first term.

Return and reintegration

68. As in previous years, returns of internally displaced persons increased towards the end of the dry season. In Kosti, more than 10,000 individuals have passed through the transit hub since January 2010, in spontaneous movements to the places of their previous residence, located primarily in Abyei, Upper Nile, Southern Kordofan, Warrap and Northern Bahr El Ghazal States. Furthermore, the Office of the United Nations High Commissioner for Refugees (UNHCR) reported that there had been an organized repatriation movement in which 264 Sudanese had travelled back to Central Equatoria State from Uganda. By 12 June, the number of Sudanese refugees repatriated to Southern Sudan and Blue Nile State since the signing of the Comprehensive Peace Agreement in 2005 had reached a cumulative total of 330,016. That number includes 1,820 individuals whose return was supported by UNHCR in 2010.

VII. Governance and human rights

Rule of law

69. The Mission continues to monitor and support the legislative reform process through workshops and analysis of new legislation. The Prison Advisory Unit's capacity-building training programme and assessment of prison facilities in the Three Areas are ongoing. The Government has agreed to the deployment of UNMIS prison advisers in the transitional area prisons, which has provided a significant opportunity to improve prison system infrastructure and professional capacity in those areas. In Southern Sudan, the long-delayed Prisons Bill is still pending. UNMIS continues to provide advisory support to the Southern Sudan Legislative Assembly, the Ministry of Legal Affairs and the judiciary.

Human rights

70. Since the elections, a number of additional incidents involving the curtailment of political rights and freedoms have been reported. The Chairman of the Popular Congress Party (PCP), Hassan Abdallah Al-Turabi, arrested by the National Intelligence and Security Service on 16 May without formal charges, was not released until 30 June. In addition, the former Chairman of the National Democratic Alliance, Farouq Abu Eissa, was arrested on 20 May and briefly detained. Four journalists from the PCP-affiliated *Rai Al-Shaab* were arrested on 16 May and charged with "terrorist acts" and "undermining the Constitution". Both charges carry penalties of death or life imprisonment.

71. The Government's pre-print censorship of newspapers, suspended in September 2009, resumed on 4 June. As a result of censorship, the Communist Party newspaper *Al Midan* has not been printed since 4 June and several issues of the SPLM-aligned *Ajrass Al-Hurriya* have not been published.

72. Following the SPLM victory in the Blue Nile State gubernatorial elections, SPLA soldiers reportedly harassed, arbitrarily arrested, detained and employed violence against NCP supporters, causing many to flee to Ed-Damazin in fear for their lives.

73. After covering the violent dispersal by SPLA of a political rally that left three civilians dead, a radio journalist was arrested on 23 April in Unity State and

detained for 13 days and then dismissed from the State-owned radio station. On 21 May, National Intelligence and Security Service personnel arrested nine Southern Sudan Radio and Television staff members and detained them for 16 days after a strike prevented them from covering the Government of Southern Sudan presidential and Southern Sudan Legislative Assembly inaugurations.

VIII. Cross-cutting issues

Public information

74. The Public Information Office focused on election-related activities during the reporting period. UNMIS assisted the National Elections Commission with the production of civic education materials, and produced election-related materials to facilitate national, regional and international media coverage.

75. Since February 2010, the United Nations-sponsored Radio Miraya has doubled the length its daily short-wave broadcasts from three to six hours. Despite the increasing need for a nationwide broadcast media outlet, the national Government has still not assigned the radio station an FM frequency in Northern Sudan.

Conduct and discipline

76. As a result of concerted efforts by UNMIS to prevent misconduct during the elections period, only minor cases were reported. Training and awareness-raising workshops were conducted in all sectors, and the continued monitoring of risk factors was undertaken during the period of the elections.

77. The Mission continued to monitor the compliance of staff members with the United Nations code of conduct and zero-tolerance policy on sexual exploitation and abuse and continued its outreach programme in Southern Sudan, providing public information with regard to that policy.

Gender

78. Southern Sudanese voters elected a total of 53 women to the Southern Sudan Legislative Assembly, exceeding the legally mandated minimum by 11 seats. The previous Assembly had not included female representatives. Seven women have been appointed to ministerial positions in the Government of Southern Sudan and eight in the national Government, two as national ministers and six as State ministers.

79. UNMIS continued to provide technical support for the National Action Plan on Violence against Women, developed by the Ministry of Justice. In May, the Ministry of Gender, Social Welfare and Religious Affairs of the Government of Southern Sudan requested the Mission's support in developing a strategic plan for the implementation of the Southern Sudan gender policy.

HIV/AIDS

80. The Mission persevered in its provision of support for the integration of HIV/AIDS awareness in the disarmament, demobilization and reintegration programme and conducted an awareness-raising and capacity-building campaign that targeted 3,059 former combatants and community members (1,932 men and

1,127 women) in the period from 15 March to 30 April. UNMIS also carried out training workshops for former combatants and community police members in Juba, Khartoum and Rumbek.

Staff security

81. Criminality and banditry, which are on the increase in the South, continue to pose a threat to United Nations staff. The Department of Safety and Security received reports of approximately 50 incidents of theft, break-in, criminal damage and road banditry against United Nations staff, vehicles and residences during the reporting period. A total of 11 United Nations international staff members and 14 national staff members were arrested by local police. The many missions that United Nations staff members undertake and the long distances that they travel increase the frequency of their exposure to such risks.

Coordination with other peacekeeping missions

82. UNMIS has been sharing information on LRA with the United Nations Organization Mission in the Democratic Republic of the Congo/United Nations Organization Stabilization Mission in the Democratic Republic of the Congo and UNAMID in order to more effectively address LRA threats. Inter-mission military force conferences have promoted regular interaction between UNMIS and neighbouring United Nations missions, most recently on 2 and 3 June in Uganda on LRA activities. Cooperation with UNAMID was essential and proved beneficial during the Rizeigat-SPLA clash on the Western Bahr El Ghazal-Southern Darfur border at the end of April, as UNMIS movement to the area was obstructed. On 7 June, UNMIS, UNAMID and the Joint Mediation Support Team met to discuss strategic and political cooperation and the regional dimension of Sudanese conflicts.

Financial aspects

83. The General Assembly, by its resolution 64/283 of 24 June 2010, appropriated for the maintenance of UNMIS for the period from 1 July 2010 to 30 June 2011, an amount of $938.0 million. Should the Security Council decide to extend the mandate of UNMIS beyond 30 April 2011, the cost of maintaining the Mission until 30 June 2011 would be limited to the amounts approved by the General Assembly. As at 31 May 2010, unpaid assessed contributions to the Special Account for UNMIS amounted to $183.3 million. The total outstanding assessed contributions for all peacekeeping operations as at that date amounted to $1,371.8 million. Reimbursement of troop-contributing Governments for troop- and contingent-owned equipment costs has been made for the periods up to 31 May 2010 and 31 March 2010, respectively.

IX. Observations and recommendations

84. Despite operational challenges and shortcomings, the successful conduct of the national elections marked a critical milestone in the implementation of the Comprehensive Peace Agreement and provided for the expansion of the political space available for democratic change. The elections were generally peaceful, albeit with some significant exceptions, and gave many Sudanese their first voting experience. However, given the absence of elections during the past 24 years, the

process of democratization is still fragile and slow to take root. The failure to reform certain provisions of the legal framework, the resumption of pre-publication media censorship and the arrest, interrogation and harassment of opposition leaders in both the North and the South represent a serious setback. I strongly encourage both Comprehensive Peace Agreement partners to work with all political parties in a transparent manner to maintain and expand the nascent democratic space, including, in particular, law reform consistent with the Comprehensive Peace Agreement and the Interim Constitution of the Sudan, which is critical for the remaining Comprehensive Peace Agreement processes, especially the referendums.

85. I congratulate the parties on the establishment of the Southern Sudan Referendum Commission. I urge the parties to recognize that the pending issues outlined must be addressed immediately in order for the referendum to be conducted within the Comprehensive Peace Agreement time frame. At this point, further delays might have serious implications. The parties' ongoing difficulties in addressing critical outstanding issues, including the establishment of the Abyei Referendum Commission, border demarcation and the resolution of voter eligibility questions in Abyei, are likely to further impede timely preparations.

86. The referendums will require significant international support if they are to be viewed as credible. While the parties have indicated their desire for extensive United Nations involvement in the referendum processes, they have yet to agree on the precise scope of the United Nations role. However, the activation of the Referendum Commissions and a joint request by the parties detailing the required additional support and role is a precondition for precise planning and timely delivery. I encourage the parties to provide such a joint request as soon as possible. I urge the parties to take full advantage of UNMIS and other international partners' offers of material, technical, logistical and "good offices" assistance.

87. The provisions of the Comprehensive Peace Agreement foresee international monitoring of the referendums, and both parties intend to request the United Nations to provide monitors to work alongside the observers whom they plan to invite from several Governments and international institutions. International monitoring, which is stipulated in the Comprehensive Peace Agreement as necessary, will be critical for the credibility and acceptance of the referendum outcomes and for subsequent peace. Appropriate modalities to ensure this may need to be considered. I propose to make certain recommendations in this regard, in consultation with the parties, as well as with other stakeholders, whose concerns need to be addressed. In doing this, I am aware that the responsibilities and roles of existing United Nations technical teams should not be duplicated.

88. The need for a workable agreement on post-referendum arrangements remains acute. I welcome the parties' agreement on a procedural framework and African Union facilitation for bilateral talks on post-referendum arrangements. I emphasize that efforts will have to be accelerated to provide the necessary clarity on critical questions within the time remaining. UNMIS and other international partners stand ready to assist the parties during the negotiations and to support the implementation of agreements they reach.

89. The role of the United Nations in the Sudan will not end with the referendums. During the reporting period, UNMIS initiated a strategic planning process focusing on the role of the United Nations, both for the remainder of the interim period and beyond, as provided for in Security Council resolution 1919 (2010). The results of

that process will form the basis of consultations with the parties that will not only identify the most pressing needs of the Sudan, but also lay out the best options to address those needs.

90. Localized political tensions that might pose a threat to the peaceful conduct of the Abyei referendum are a major concern. I encourage the parties, as well as Misseriya and Ngok Dinka leaders, to show vision and statesmanship in improving the political environment by pursuing a comprehensive agreement addressing the key contentious issues, including residency, grazing rights, North-South border management, land claims and the conduct of the referendum itself.

91. Continued restrictions on the freedom of movement of UNMIS by both parties, in violation of the Status of Forces Agreement, seriously compromise the ability of the Mission to monitor and verify the implementation of security arrangements and to assist the parties in preventing conflict and instability. The recent agreement in the Ceasefire Political Commission on freedom of movement is a positive step, but a broader commitment is needed in this regard if the Mission is to discharge its mandated responsibilities. I call upon the parties to fully comply with all of their obligations under their agreements, the Status of Forces Agreement and the relevant Security Council resolutions.

92. Intra-South tensions have mounted in the aftermath of the elections. Establishing stability and security in the South and managing the electoral fallout will be a challenging task for the Government of Southern Sudan in the months ahead. The need to provide a secure environment conducive to the conduct of the referendum in Southern Sudan is heightening that challenge. The military stand-off over the results of the Jonglei gubernatorial race is of great concern in this regard. Escalating local crises could easily provide opportunities for spoilers if such crises are not addressed in an appropriate and sustainable manner.

93. Given the possibility of violence in the latter stages of the interim period, the Mission and the United Nations country team are undertaking a contingency planning exercise to prepare for potential disruptions and ensure an adequate response to the needs of people, including the protection of civilians. In this regard, I encourage the parties to the Comprehensive Peace Agreement to ensure appropriate contingency planning for the protection of civilians and to publicly advocate against any form of violence against civilians. Further capacity-building of police and rule-of-law institutions in Southern Sudan will be critical for maintaining a peaceful environment during the referendums.

94. The popular consultation process provides a unique opportunity for a nuanced and detailed review of the implementation of the Comprehensive Peace Agreement. I call on the parties and their representatives and constituents in Southern Kordofan and Blue Nile States to offer and facilitate a serious appraisal. This process must transcend narrow partisanship if it is to contribute to sustainable conflict resolution in those areas. UNMIS stands ready to assist not only with the consultations but also with placing the processes in the wider political context of the Comprehensive Peace Agreement and the Sudan as a whole.

95. The risk associated with the demobilization of increasing numbers of former combatants without suitable reintegration programmes in place is a serious security concern. I encourage all parties to continue their efforts to ensure both the integrity

and progress of the disarmament, demobilization and reintegration programme while taking into account the need for flexible short-term solutions in particular situations.

96. Finally, I urge donors to ensure that the much-needed humanitarian assistance is not curtailed by underfunding and to safeguard the continuation of life-saving pipelines by making funds available as quickly as possible in this critical period. I also encourage donors to strengthen longer-term recovery activities in parallel with immediate relief efforts to ensure stability and sustainable development in the Sudan, in particular in the South.

97. I would like to conclude by expressing my appreciation for the dedicated service of my Special Representative for the Sudan, Haile Menkerios, as well as all military, police and civilian personnel serving in UNMIS.